

IN RE:

JOSE ANTONIO OLMEDA MIRANDA

DEBTOR(S)

CASE NO. 18-06747-BKT

CHAPTER 13

****AMENDED DOCUMENT****

TRUSTEE'S REPORT ON CONFIRMATION

1. The applicable commitment period is: 3 years
2. The liquidation value of the estate is \$: To be determined
3. The general unsecured pool is \$: 0.00

AMENDED PLAN DATE: March 18, 2018

PLAN BASE: \$54,000.00

TRUSTEE'S COMMENTS AND RECOMENDATIONS DATED: 4/3/2019

FAVORABLE

UNFAVORABLE

1. [X] FEASIBILITY 11 USC § 1325(a)(6):

Debtor has the month of March in arrears. Next month due on April 20, 2019.

2. [X] FAILS DISPOSABLE INCOME TEST § 1325(b)(1)(B):

At 341 meeting Debtor showed Amended Schedule I, but it has to be further amended since debtor has to include one attachment of business income and expenses for his cafeteria Navarro's Cafe, which is incorporated and another attachment of business income and expenses for his construction work.

3. [X] FAILS LIQUIDATION VALUE TEST § 1325(a)(4):

Schedule A/B disclose JA Contractor business equipment. Debtor to submit a list of equipment for this business.

4. [X] DOMESTIC SUPPORT OBLIGATION:

• Post-petition payments § 1325(a)(8): According to the certification of the DSO recipient, the debtor is up to date in his post-petition payments until March. The debtor must submit evidence of his DSO post-petition payments until the case is confirmed.

5. [X] FAILS SECTION 1325(a)(9):

• IRS Tax Returns: Debtor to provide evidence of having filed 2014 -2017 federal tax returns.

OTHER:

a. Plan does not provide for relief from stay (proof of claim 6) regarding to a 2017 Nissan Frontier that debtor transferred to Jose Ramos as disclosed in amended SOFA dkt. 33. b. Debtor alleges he owes the IRS. Debtor has failed to inform to trustee if he has priority debts.

NOTICE: This report anticipates Trustee's position as per 11 USC § 1302(b)(2) a copy of which has been served upon counsel for debtor(s). Copies are available to parties in interest at the Trustee's Office.

/s/ Pedro R Medina

Pedro R Medina

Atty: ROBERTO FIGUEROA

USDC #226614

ALEJANDRO OLIVERAS RIVERA

Chapter 13 Trustee

PO Box 9024062, Old San Juan Station

San Juan PR 00902-4062

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